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Educational Media Foundation
5700 West Oaks Blvd.
Rocklin, CA 95765

In re: KLOP(FM), Ocean Park, WA
Facility ID #121867
Educational Media Foundation
BPED-20060601AQH

Dear Applicant:

This letter is in reference to: (1) the above-captioned minor change application, as amended July 27, 2006, to modify the effective radiated power, class, antenna height, and location; (2) the August 9, 2006 Petition to Deny filed by Dr. Sandra L. Woodruff ("Woodruff"); and (3) all other related pleadings. For the reason set forth herein, we deny the Petition to Deny and grant the application.

Petition to Deny. On August 9, 2006, Woodruff filed the Petition to Deny stating that the KLOP application fails to comply with the contour protection provisions of 47 C.F.R. § 73.509 with respect to the co-channel Canadian allocation, Saturna Island, British Columbia, Canada ("Saturna"). Specifically, Woodruff states that KLOP's protected contour would receive prohibited overlap in the United States from the interfering contour of the Saturna allocation. Furthermore, Woodruff claims that KLOP's application fails to provide a showing demonstrating compliance with the community coverage provisions of 47 C.F.R. § 73.515. Moreover, Woodruff believes that KLOP's main studio waiver should not be continued for this application.

Discussion. Interference protection between stations in different countries is governed by international treaty. The *Working Arrangement for the Allotment and Assignment of FM Broadcasting Channels Under the Agreement between the Government of Canada and the Government of the United States of America relating to the FM Broadcasting Service* does not prohibit overlap received from a Canadian station in the United States. Furthermore, in *Northern Sound Public Radio* 4 FCC Rcd 5495 (1989), the Commission allowed an FM Station to receive overlap from a Canadian allocation. In addition, the overlap received does not occur in KLOP's community of license, Ocean Park, WA. Moreover, the Canadian government approved KLOP's proposal on September 11, 2006. Furthermore, although KLOP failed to provide an exhibit demonstrating compliance with § 73.515, our study indicates that KLOP's proposal provides adequate community coverage. With respect to KLOP's continued main studio waiver, the circumstances that warranted earlier waiver of the main studio rule have not changed and Woodruff has failed to justify reconsideration of its decision. Therefore, the August 9, 2006 Petition to Deny will be denied and KLOP's application will be granted.

In light of the above, the Petition to Deny filed by Woodruff on August 9, 2006 and all other related pleadings ARE HEREBY DENIED. In addition, Application File No. BPED-20060601AQH, as last amended on July 27, 2006, IS HEREBY GRANTED with conditions. The authorization is enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodolfo F. Bonacci". The signature is stylized with a large "R" and a long horizontal stroke at the end.

Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Dr. Sandra L. Woodruff
David D. Oxenford, Esq.